

**REAL ESTATE APPRAISER LICENSURE
AND CERTIFICATION BOARD**

MINUTES

**Thursday, January 17, 2008
8:30 a.m.**

**Indiana Government Center-South
402 West Washington Street Room W064
Indianapolis, Indiana 46204**

Mr. Traynor called the meeting to order at 9:54 a.m. in Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum, in accordance with IC § 25-34.1-8-4.

Members Present:

Joe Traynor, Chairman
Wayne Johnson, Vice Chairman
John Newlin, Appraiser Member
Terry Watson, Appraiser Member
Lowell K. Griffin, Chairman

Members Absent:

James Lewis, Consumer Member
Liz Stoll, Lender Member

State Officials Present:

Nicholas Rhoad, Director Indiana Real Estate Commission
Pat Price, Assistant Board Director, Indiana Professional Licensing Agency
Davis Moore, Litigation Specialist
Jim Schmidt, Deputy Attorney General

I. ADOPTION OF MINUTES FROM December 13, 2007

A motion was made and seconded to approve the minutes from December 13, 2007
Griffin / Newlin
Motion Carried
5-0-0

II. CHAIRMAN'S REPORT

Mr. Traynor recognized Mr. Griffin and stated that he hoped the application process would "settle down" and allow the board to focus on monitoring licensees on probation, and AQB qualifications.

III. REPORT FROM THE INDIANA ATTORNEY GENERAL'S OFFICE

No report was made.

IV. STATUS OF LICENSEES ON PROBATION

The status of licensees on probation were discussed by the Board. The Board expressed interest in being able to hire an appraiser to conduct a field review and also re-distribute the case load allowing board members to monitor licensees in their area.

A) Files Reviewed by Mr. Lowell Griffin

1. Licensees with submissions

- A) Penny Negri: REAB 06-47
Re: Last submission 10/12/07
- B) Dwight Johnson: REAB 06-55
Re: Licensee indicates he is not practicing.
- C) Christopher Barker: REAB 07-30
Re: Performed no appraisals for December
- D) Patricia Hogue (Probation Order Pending)
Re: Submitted log on 1/3/08 Appraisals submitted 1/4/08
- E) Jeffrey Pierce: REAB 06-119
Re: Submitted log on 12/21/07 Appraisals received 12/21/07
- F) Richard L. Snider: REAB 07-31
Re: Sent Log 1/3/08

2. Licenses without submissions

- A) Corey J. Camphor: REAB 05-57
Re: Submitted log on 7/30/07. Appraisals submitted on 8/1/07. No submissions for December

A motion was made and seconded to issue a show cause order
Griffin / Newlin
Motion Carried
5-0-0

B) Files Reviewed by Mr. Wayne Johnson

1. Licenses with submissions

- A) Harry E. Leffler: REAB 02-22
Re: Submitted log on 1/10/08. Appraisals submitted 1/10/08.
- B) Barry Bulger: REAB 06-58:
Re: Submitted log on 12/13/07. Appraisals submitted 12/18/07. No December submissions
- C) Scott E. Pepenbrink: REAB 06-104
Re: E-mail in May stated that he is no longer performing appraisals.

2. Licenses without submissions

None

C) Files Reviewed by Mr. Joe Traynor

1. Licenses with submissions

- A) Wade Oesch: REAB 06-112

Re: Last submission made on: 1/11/08

- B)** Duane Pherson: REAB 06-21
Re: Last submission 1/7/08 Appraisals recieved 1/11/08
- C)** Mark A. Courtney: REAB 07-20
Re: Submission Received on 1/1/08 Appraisals received 1/3/08
- D)** Dennis Lee: REAB 06-92
Re: Respondent did no appraisals for December. Sent letter to that affect 1/3/08
- E)** Darlene Kay Amstutz: REAB 05-09
Re: Last submission 4/11/07. Respondent stated that she was no longer practicing.
- F)** Steven Huntsman: REAB 07-12
Re: Last submission 12/28/07 Appraisals received 12/31/07
- G)** Amy Morris: REAB 06-99
Re: Last submission 1/8/08. Appraisals submitted 1/10/08
- I)** Sharla L. Hackney: REAB 06-26
Re: Last submission 12/17/07.

2. Licenses without submissions

- A)** Ryan Alan Cottongim: REAB 07-19
No submissions for December

A motion was made and seconded to send a letter of non-compliance
Traynor / Griffin
Motion Carried
5-0-0
- B)** Betty Jane Wilson
Re: Last submission 9/11/07. Thought she only had to send logs for 4 months. I sent an e-mail requesting September and October logs 11/5/07 no response received as of 1/14/08.

A motion was made and seconded to send a letter of non-compliance
Traynor / Griffin
Motion Carried
5-0-0
- C)** Kenney Johnson: REAB 06-107
Re: No submissions for October through December (Due on 10/3/07, FO mailed 9/20/07)

A motion was made and seconded to issue a show cause order
Griffin / Newlin
Motion Carried
5-0-0

D) Files Reviewed by Mr. Terry Watson

1. Licenses with submissions

- A)** Ann Putman: REAB 06-75
Re: Last Submission: 1/10/08
- B)** Christopher Marlow: REAB 06-91
Re: Last submission: 1/3/08 Appraisals received 1/3/08
- C)** Jackie Shreve: REAB 07-11
Re: Performed no appraisals for the month of December
- D)** Charles Hensley: REAB 06-122
Re: No submissions for December. Licensee is currently not practicing

2. Licenses without submissions

- A)** Jeffrey Raben: REAB 07-04
Re: No submission. Probation Compliance Letter sent out

The Board requested that a letter be sent to Mr. Raben informing him that even though he does not complete appraisals, he must still inform the Board on a monthly basis if he does not perform appraisals.

E) Files Reviewed by Mr. John Newlin

1. Licenses with submissions

- A)** Mark Sells: REAB 06-111
Re: Last submission 1/3/08 Appraisals received 1/3/08
- B)** James Paul Bishop: REAB 06-62
Re: Last submission 1/10/08
- C)** David Morris: REAB 06-99
Re: Last submission 1/10/08
- D)** Seth Deaton: REAB 06-62
Re: Last submission 1/9/08
- E)** Allan Woodhouse: REAB 06-154
Re: Last submission 11/5/07
- A)** Gary Nunley: REAB 06-109
Re: 12/12/07

V. LICENSEES ON PROBATION WITH CONTINUING EDUCATION REQUIREMENTS

A) State of Indiana v. Henry Deaton

REAB 06-73

Re: Review of Continuing Education Due January 3, 2008 and letter from Mr. Deaton.

The Board requested a letter be sent to Mr. Deaton stating that if he wants to surrender his license he must respond by March 1, 2008.

VI. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A) State of Indiana v. Larry Douglas Lewis

REAB 06-151

Re: Motion for Dismissal

A motion was made and seconded to accept the Motion for Dismissal
Watson / Johnson
Motion Carried
4-0-1

B) State of Indiana v. James Frisby

REAB 07-44

Re: Motion for Dismissal

A motion was made and seconded to accept the Motion for Dismissal
Johnson / Watson
Motion Carried
4-0-1

C) State of Indiana v. Peggy Ann Manor

REAB 07-46

Re: Motion for Dismissal

A motion was made and seconded to accept the Motion for Dismissal
Griffin / Johnson
Motion Carried
4-0-1

D) State of Indiana v. Karen Gregory

REAB 07-47

Re: Motion for Dismissal

A motion was made and seconded to accept the Motion for Dismissal
Griffin / Watson
Motion Carried
4-0-1

E) State of Indiana v. John W. McCool

REAB 07-75

Re: Motion for Dismissal

A motion was made and seconded to accept the Motion for Dismissal

Griffin / Johnson

Motion Carried

4-0-1

F) State of Indiana v. Terry Banks

REAB 07-61

Re: Proposed Findings, of Fact, Conclusions of Law and Order

A motion was made and seconded to accept the Proposed Findings, of Fact, Conclusions of Law and Order

Watson / Johnson

Motion Carried

4-0-1

G) State of Indiana v. Bryan Fraley

REAB 07-63

Re: Proposed Findings, of Fact, Conclusions of Law and Order

A motion was made and seconded to accept the Proposed Findings, of Fact, Conclusions of Law and Order

Johnson / Watson

Motion Carried

4-0-1

H) State of Indiana v. David M. Burbrink

REAB 07-23

Re: Proposed Findings, of Fact, Conclusions of Law and Order

This matter was tabled until February.

I) State of Indiana v. Richard S. Figg

REAB 07-25

Re: Proposed Findings, of Fact, Conclusions of Law and Order

A motion was made and seconded to accept the Proposed Findings, of Fact, Conclusions of Law and Order

Watson / Griffin

Motion Carried

4-0-1

J) State of Indiana v. Kevin M. Handley

REAB 07-66

Re: Proposed Findings, of Fact, Conclusions of Law and Order

This matter was tabled until February.

K) State of Indiana v. Deron Strickland

REAB 07-82

Re: Proposed Findings, of Fact, Conclusions of Law and Order

This matter was tabled until February.

VII. REINSTATEMENT HEARINGS

A) State of Indiana v. Hubert Voges

REAB 06-161

Re: Petition for Reinstatement from Suspension

A motion was made and seconded to approve the Petition for Reinstatement from Suspension.

Newlin / Griffin

Motion Carried

4-0-1

B) State of Indiana v. Jean Ankrom

REAB 06-161

Re: Petition for Reinstatement from Suspension

A motion was made and seconded to approve the Petition for Reinstatement from Suspension.

Watson / Newlin

Motion Carried

4-0-1

C) State of Indiana v. Greg Chevalier

REAB 06-121

Re: Petition for Reinstatement from Suspension

A motion was made and seconded to approve the Petition for Reinstatement from Suspension and to include language in the order explaining the confusion regarding the terms of suspension and the processes involved.

Newlin / Griffin

Motion Carried

4-0-1

VIII. DEFAULT HEARINGS

A) State of Indiana v. Aaron Rollins

REAB 07-64

Re: Default Hearing

A motion was made and seconded to find the Respondent in Default

Watson / Newlin

Motion Carried

A motion was made and seconded to

IX. DISCIPLINARY HEARINGS

A) State of Indiana v. Douglas W. Meyer

REAB 06-144

Re: Disciplinary Hearing

A motion was made and seconded to find the Respondent in Default and hold the deliberations in Februar.

Watson / Newlin

Motion Carried

B) State of Indiana v. Marcus Bubp

REAB 07-51

Re: Disciplinary Hearing

No action was taken in this matter to explore the possibility of a settlement.

C) State of Indiana v. Martha Payton

REAB 07-60

Re: Disciplinary Hearing

No action was taken in this matter to explore the possibility of a settlement.

D) State of Indiana v. Sharon Williams

REAB 07-72

Re: Disciplinary Hearing

No action was taken in this matter to explore the possibility of a settlement.

E) State of Indiana v. Larry D. Burks

REAB 07-55

Re: Disciplinary Hearing

No action was taken in this matter to explore the possibility of a settlement.

F) State of Indiana v. Michael Schmidt*

REAB 07-32

Re: Disciplinary Hearing

No action was taken in this matter to explore the possibility of a settlement.

XI. OLD/NEW BUSINESS

A) Response to ASC regarding their most recent field audit

Mr. Rhoad provided an update to the Board regarding concerning the ASC's most recent field audit and also informed the Board the proposed letter discussed at the December 2006 meeting was signed by Chairman Traynor and has been sent to the ASC.

B) USPAP Schedule Waiver request to the ASC and response from the ASC

This item was tabled until the February meeting.

- C) AQB - USPAP Invitation to Comment**
Mr. Rhoad provided a copy of this document to the Board. The decision was made to review this document before the February meeting and return with proposed responses.
- D) Update on LSA #07-881**
Mr. Rhoad provided an update on LSA #07-881 to the Board.
- E) Recommendation to the Indiana Real Estate Commission to adopt LSA #07-338**

A motion was made and seconded to recommend to the Indiana Real Estate Commission they adopt LSA #07-338.

Newlin / Watson
Motion Carried
4-0-0
- F) Recommendation to the Indiana Real Estate Commission to adopt LSA #07-744**

A motion was made and seconded to recommend to the Indiana Real Estate Commission they adopt LSA #07-744.

Watson / Griffin
Motion Carried
4-0-0
- G) Types of Appraisals permitted by license types – Lowell**

Mr. Griffin asked to table this item until February.
- H) January ARELLO Board of Directors Conference Summary**

Mr. Rhoad provided an update to the Board regarding ARELLO.
- I) Approval attendance at 2008 AARO meeting April 12 - 14, 2008**

A motion was made and seconded to approve the attendance at the 2008 AARO Spring Conference by PLA staff and one Board member. Mr. Watson expressed interest in attending and Mr. Rhoad expressed interest in attending.

Traynor / Griffin
Motion Carried
4-0-0
- J) Indiana License Law Update Requirement**
Mr. Newlin requested that this item be tabled until the February meeting.
- K) Reciprocity**
Mr. Traynor requested that this item be tabled until the February meeting.
- L) New Application for licensure as a Certified Appraiser**
Mr. Rhoad provided the Board with a copy of the new application for licensure as a Certified Residential or Certified General appraiser.

- M) New Application for providing a continuing education course**
Mr. Rhoad provided the Board with a copy of the new application to provide continuing education courses to appraisers. The Board requested that Mr. Johnson work with PLA staff on this.
- N) AQB Cut score determination**
A discussion was held when the AQB would be able to provide a cut score for the new exam.
- O) Legislative Update**
Mr. Rhoad provided a legislative update to the Board.
- 1. Federal Legislation**
 - a. HR 3915 – ASC Bill – received in Senate, referred to Committee on Banking, Housing, and Urban Affairs
 - b. S 2452 - To amend the Truth in Lending Act to provide protection to consumers with respect to certain high-cost loans, and for other purposes.
 - 2. HB 1001 – Property Tax Relief Bill**
Pg 469
 - 3. Bills with Impact on Appraiser Board and Real Estate Commission**
 - a. **SB 143 Childhood Lead Issues.**
 - b. **HB 1360 – Mortgage Lending Issues**
 - c. **HB 1346 – Loan Broker Commission**
 - d. **SB 40 – Permits for Shoreline Activities**
 - e. **HB 1211 – various Home Loan Matters (pg 760 for REAB information) – Pg 726**
01/14/2008 H: 1st Reading Assigned [Financial Institutions](#)
01/14/2008 H: Author Added [Michael B. Murphy](#)
 - f. **SB89 Regulation of Loan Brokers – PG 767**
01/08/2008 S: 1st Reading referred to Committee on Corrections, Criminal, and Civil Matters
01/08/2008 S: Author Added [Connie Lawson](#)
01/15/2008 S: Committee Sched 9:00 AM Room 233 [Corrections, Criminal & Civil Matters](#)
 - g. **SB 009 Real Estate Disclosure Forms – SB 790 – PG 789**
01/08/2008 S: 1st Reading referred to Committee on Corrections, Criminal, and Civil Matters
01/08/2008 S: Author Added [Brent Steele](#)
 - h. **SB 275 Mortgage lending issues – FBI background checks – Pg 792**
01/10/2008 S: 1st Reading referred to Committee on Commerce and Public Policy & Interstate Cooperati
01/10/2008 S: Author Added [Connie Lawson](#)
 - i. **SB 302 PLA Omnibus Bill – PG 800**
01/10/2008 S: 1st Reading referred to Committee on Commerce and Public Policy & Interstate Cooperati
01/10/2008 S: Author Added [Ryan D. Mishler](#)

j. 28 other bills have direct impact on PLA / 60 other bills are “of interest” to PLA

P) Meeting location

XII. APPLICATION REVIEW

A) **Trainee**
NONE

B) **Licensed Residential**

1. Brandon Scott Anderson	A
2. Timothy Bark	T
3. Anthony Bradley	D
4. Steven Dorsett	A
5. Patrick J. Humphrey	T / PA
6. Diane Jackson	A
7. Dale Minor	A
8. Christina Marie Mundy	A
9. Judy Purcell	A
10. Martin Sterrett	A
11. Glen Timmons	A
12. Rusty Ulmer	A
13. Gary Blake Welch	A
14. Michael Stewart Werner	A

A motion was made and seconded to approve the License Residential Applications as indicated above
Griffin / Newlin
Motion Carried
4-0-0

C) **Certified Residential**

1. James D. Frisby	T
2. Curt A. Johnson	A
3. Troy McFadden	A
4. Charles Pocock III	A
5. Andee Reese	A
6. Roberta Rivers	A
7. Tracey Rose	A
8. Roy Sherrill	A
9. Jeffrey Trefz	A
10. Emil Culp	D

A motion was made and seconded to approve the Certified Residential Applications as indicated above
Newlin / Griffin
Motion Carried
4-0-0

D) Certified General

- | | |
|----------------------|---|
| 1. Mark Current | T |
| 2. Marc DeHollander | T |
| 3. Kenneth Green | D |
| 4. Myra Lillard | A |
| 5. Stephen Schmaltz | T |
| 6. Augustus Spicuzza | T |

A motion was made and seconded to approve the Certified General Applications as indicated above
Newlin / Watson
Motion Carried
4-0-0

E) Temporary Permits

1. **See attached sheets**

F) Education Review

No action was taken on the Education Review. It was tabled until February.

1. McKissock, LP
 - a. Relocation Appraisal is Different 7.0
 - b. Appraising REO & Foreclosure Properties 7.0
 - c. Even Odder: More Oddball Appraisals 7.0
 - d. Introduction to Expert Witness Territory 7.0
 - e. Mortgage Fraud- Protect Yourself! 7.0
 - f. Environmental Issues for Appraisers 3.0
1. American Society of Farm Managers and Rural Appraisers
78th Annual Convention 14.0
2. RECP
The Land Conservation Marketplace 1: Essentials for Real Estate Appraisers, Assessors and Brokers 7.0
3. Appraisal Institute, Hoosier State Chapter
Spotlight on USPAP: Hypothetical Conditions and Extraordinary Assumptions 2.0
4. Appraisal Institute
 - a. An Introduction to Valuing Green Buildings 7.0
 - b. REO Appraisal- Appraisal of Residential Property for Foreclosure and Pre-Foreclosure 7.0
 - c. Appraisal challenges: Declining Markets and Sales Concessions 7.0
 - d. Appraising Manufactured Housing 7.0
 - e. Scope of Work 7.0
 - f. Reviewing Residential Appraisal Reports 7.0
 - g. Quality Assurance in Residential Appraisals 7.0
 - h. Liability Management in Residential Appraisers 7.0
 - i. Forecasting Revenue 7.0
 - j. General Demonstration Appraisal Report Writing Seminar 7.0

- k. Business Practices & Ethics 8.0
- l. Report Writing and Valuation Analysis 40.0
- m. The Appraiser as an Expert Witness: Preparation and Testimony 16.0
- n. Litigation Appraising: Specialized Topics and Applications 16.0
- o. Condemnation Appraising: Basic Principles and Applications 16.0
- p. Condemnation Appraising: Advanced Topics and Applications 16.0
- q. Computer-Enhanced Cash Flow Modeling 16.0
- r. Analytics and the Site to Do Business 7.0
- s. Uniform Appraisal Standards for Federal Land Acquisitions 16.0

XIII. Adjournment

A motion was made and seconded to adjourn the meeting at 6:20.

Newlin / Griffin

Motion Carried

4-0-0

Joseph C. Traynor, Chairman

Date